GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Water Resources Department - Suits- Administrative sanction **releasing balance 25%** decretal amount for an amount of **Rs.3,40,08,615/-** for depositing the same in the Hon'ble High Court in COMCA No.6/2021 filed against COS No.1/2017 (Previously OS No.76/2008) – Orders – Issued.

WATER RESOURCES (Projects-II) DEPARTMENT

G.O.RT.No.1799. **Dated:19.07.2022.**

Read the following:

1) From the Chief Engineer, NTRTGP, Tirupati, Letter No.CE/NTRTGP/ TPT/TS/T1/Somasila BPR Canal, dated:31.05.2021& 09.08.2021.
2) G.O.Rt.No.18, Water Resources (Projects-II) Department, dated:12.01.2022.
3)From the Advocate General, A.P. High Court Buildings, Nelapadu, Lr.No.188/2022, dated:02.05.2022.

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ORDER:

In the reference 1st read above, the Chief Engineer, NTRTGP, Tirupati has requested the Government to release of half of decretal amount plus the costs awarded by the Hon'ble Commercial Court cum Principal District Judge, Nellore which comes to **Rs.6,80,17,231/-** Half of Decretal amount of Rs.12,36,34,816/- = i.e., Rs.6,18,17,408/- (Half Decretal amount) + (Costs allowed in Decree) = Rs.61,99,823/--Total Rs.6,80,17,231/-) as early as possible as the department have to deposit the above said amount within 12 weeks from 15.04.2021 i.e., on or before 07.07.2021 as per the Hon'ble High Court order dated:15.04.2021.

2) In the reference 2nd read above, Government have accorded administrative sanction for an amount of **Rs.3,40,08,615/-** i.e., **25%** decretal amount awarded by the Hon'ble Commercial Court cum Principal District Judge, Nellore, as **first instalment**, for the work "Easening of slopes to 1.5:1 and providing cement concrete lining with paver in bed and side slopes of Kavali Canal of Somasila Project in between Km.1.609 and Km.67.619 including investigation, design and estimation – Package No. 94" to deposit the same in the Hon'ble Court in COMCA No.6/2021 filed against COS No.1/2017 (Previously OS No.76/2008) and ordered to deposit the same in the Hon'ble High Court.

3) In the reference 3rd read above, the learned Advocate General, AP., has stated that, the Hon'ble Court initially was pleased to pass conditional interim orders on 15.04.2021 to deposit 50% of the decretal amount. Thereafter, as the amount could not be deposited within time, we have been seeking permissions for extension of time. The case was again listed on 22.02.2022. During the course of hearing, it was informed to the court that 25% of the amount as directed by the Hon'ble Court was deposited before the court. However, the Hon'ble Division Bench was pleased to clarify with regard to the orders passed on 15.04.2021 and 17.12.2021 and **directed to deposit balance 25% of the amounts as per the directions of the Hon'ble Court dated:15.04.2021 within 10 weeks from the date of the order.** However, it is learnt that the balance amount of 25% as directed by the Hon'ble Court on 22.02.2022 was not deposited so far. Therefore, it is advised to take steps for depositing the balance 25% of the decretal amount at the earliest and also to take necessary steps in filing extension petition before the Hon'ble Court on order dated:22.02.2022 seeking further time to comply the orders of the Hon'ble High Court.

(PTO)

4) The Government after careful examination, hereby accord administrative sanction for an amount of **Rs.3,40,08,615/-** (Rupees three crores forty lakhs and eight thousand and six hundred fifteen only) i.e., **balance 25%** decretal amount for depositing the same in the Hon'ble High Court in COMCA No.6/2021 filed against COS No.1/2017 (Previously OS No.76/2008) under Head of Account 4700-01-112-11-27-530-531.

5) The Chief Engineer, NTRTGP, Tirupati shall take necessary orders accordingly.

6) This order issues with the concurrence of Finance (FMU-W.R.II) Department, vide their U.O.No.FIN01-FMU0MRAS(WR2)/99/2021-FMU-WR-II, Computer No.1460709, dated:13.06.2022.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Chief Engineer, NTRTGP, Tirupati.
Copy to:
The P.S to Hon'ble Minister for Water Resources.
The P.S to Principal Secretary to Government (WRD).
The Finance (FMU-WR.II) Dept.,
The Accountant General, A.P., Vijayawada.
The Director of Works and Accounts, Ibrahimpatnam, Vijayawada.
Sf/Sc.

// FORWARDED :: BY ORDER //

Sk. Hafeez
SECTION OFFICER